

U.S. Department of Justice

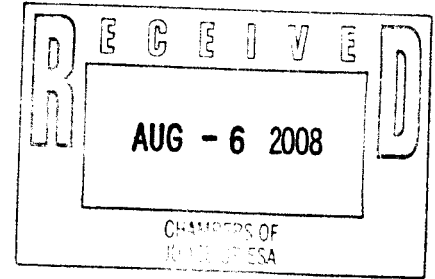
United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

August 5, 2008

BY HAND TO CHAMBERS

Honorable Thomas P. Griesa
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007



Re: United States v. Mario S. Levis, a/k/a "Sammy Levis,"
08 Cr. 181 (TPG)

Dear Judge Griesa:

The Government respectfully requests that it be provided an additional week to respond to the pretrial motions filed by the defendant in the above-referenced matter. The defendant seeks from the Court an order: (1) transferring the case to the District of Puerto Rico; (2) compelling the disclosure of a witness list, an exhibit list, and notice of 404(b) evidence 90 days in advance of trial; and (3) suppressing certain statements made by defendant.¹ The Government has been working diligently on its response, but the press of other, unanticipated business necessitates that the Government request additional time. The Government's response is currently due August 8, 2008, and the defendant's reply is due August 22, 2008. Should the Court grant the Government's request, the Government requests that the Government's response be due August 15, 2008, and the defendant's reply would be due August 29, 2008. A

¹ The Government has not yet determined that it will be using the statements at trial and has so advised counsel. The defendant has filed its motion to suppress the statements merely for purposes of preserving its objection to their use. Both parties agree, however, that further litigation is unnecessary until the Government has made a determination that it will seek to introduce the statements into evidence, a decision the Government intends to make well in advance of trial. Accordingly, with leave of the Court to file a response to defendant's motion at a later time if necessary, the Government currently intends to file a brief responding only to defendant's motions seeking orders transferring the case to Puerto Rico and, in the alternative, compelling certain pretrial disclosures.

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conference in this matter is currently scheduled for September 4, 2008. Defense counsel consents to this request.

Very truly yours,

MICHAEL J. GARCIA

United States Attorney

By:

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cc: Maria D. Neyra, Esq. (by facsimile to 305-358-2006)